

REMARKS

Claims 1-17 and 19-52 are currently in this application with claim 18 cancelled and claims 1 and 42-50 amended herein. No new matter has been added by this amendment.

Examiner Kumar and his Supervisory Examiner Kincaid are both thanked for agreeing to and conducting an interview with the undersigned attorney. Though no resolution was reached it is believed that the interview was still successful in providing a dialogue regarding the invention as well as perceived inadequacies of the office action.

Initially, the office action alleges that claims 20, 25, 26, 27, and 30 fail to meet the 3-pronged test for means-plus-function claims specified by 35 U.S.C. § sixth paragraph. Based on an initial discussion with the Examiner and again confirmed by the supervisory Examiner in this matter, it is understood that this rejection was in error, and no further action need be taken in this response.

Next the office action objects to the specification for an informality on page 11 regarding the referencing of Fig. 6. This paragraph has been amended to properly refer to Fig. 6B. Withdrawal of the objection is requested.

On the merits, the office action rejects claims 1-53 under 35 U.S.C. 103(a) as unpatentable over Van Rietschote (US patent 6,757,778, hereinafter "Van Rietschote") in view of DeKoning (US Patent 6,769,022, hereinafter "DeKoning"). The rejection is respectfully traversed.

As best understood, Van Rietschote's invention relates to a storage management system. Specifically, the storage management system of Van Rietschote aims to allow the management

of storage devices by an operating system. The tasks executed by the storage management are limited to: a) mapping files representing the virtual storage devices to a plurality of volumes to be stored on physical storage devices; b) to support a set of set of standard commands used by the operating system to communicate with storage devices, and with the storage management components; c) presenting a consistent view of storage for a given application/operating system. (Van Rietschote col. 1 lines 60-67 and col. 2 lines 1-25).

In direct contrast, the Application relates to a management engine and method for managing and configuring a cluster of virtualizations switches of a storage area network. The Application resolves the inability of prior art management tools to configure, manage, and administrate clusters of virtual switches (application, paragraph [0022]). With this aim, the management engine executes the tasks that include: communicating with a virtualization switch that has been added to a cluster and synchronizing the newly added virtualization switch with configurations of other virtualization switches in the cluster (application, paragraph [0036]).

Van Rietschote mentions the word "cluster," but in the context of the architecture of the storage management system and not as means for configuring cluster of virtualization switches . The cluster server software as suggested by Van Rietschote is to provide fail over of applications executed on the operating system.

"the storage management system 24 may further include cluster server software 50 to allow the computing system 10 to be clustered with other computing systems to allow the fail over of an application 12A-12B if a failure occurs on the computing system 10" (col. 9 lines 50-55)

Regarding claims 1, 33 and 42, it is respectfully submitted that contrary to the statements in the office action, Van Rietschote does not disclose a method for configuring a cluster of

virtualization switches. Rather, Van Rietschote discloses a method for providing one or more virtual storage devices for use by an operating system. Specifically, with respect to claims 33 and 52 as filed, Van Rietschote does not disclose at least steps (d) entering at least management parameters of said new virtualization switch for each new switch; and (e) synchronizing said volume parameters of said first virtualization switch with said volume parameters of said new virtualization switch. Rather, Van Rietschote discloses mapping files representing the virtual storage devices to a plurality of volumes to be stored on one or more physical storage devices. These two features have been added by this amendment to independent claim 1.

The office action agrees that Van Rietschote does not expressly disclose a GUI to perform standard management operations, but asserts that DeKoning teaches a GUI for configuring and monitoring a storage network. While it is submitted that DeKoning discloses a GUI that is included in a management station. DeKoning, indicates that the GUI has two purposes: visualizing the association of the storage systems and other devices on the network and displaying the physical configuration and status of devices (DeKoning col. 2 lines 52-58). Specifically, DeKoning does not disclose how "configuration operations" are performed by the GUI to configure, manage and administrate a cluster of virtualization switches.

Finally, there is simply nothing in either Van Rietschote or DeKoning that teaches the use of virtualization switches. This issue was raised during the interview and the Examiners asked the distinctions between the "virtual machine" in Van Rietschote and the virtualization switches in the instant claims. The virtualization switches of the instant claims are defined in the specification and are discussed for example in paragraphs [0005-0009] of the background of the disclosure. In contrast to the description provided in the specification a "virtual machine" such as that found in Van Rietschote are well known in the industry as software that creates a

virtualized environment between the computer platform and its operating system, so that the end user can operate software on an abstract machine. Van Rietschote admits that the "the storage management system may employ a full virtual machine in which the operating system 14 and applications 12A-12B may execute." Thus, there is no relation whatsoever between virtual machine and virtualization switch. Accordingly, it is respectfully submit that neither Van Rietschote nor DeKoning, alone or in combination, teach or suggest all of the claim limitations, as neither deals with cluster of virtualization switches.

With respect to independent claims 20 and 51, it is submitted that these claim is directed to a GUI and an apparatus for graphical interface with a cluster of virtualization switches having one or more of the distinguishing features discussed above.

It is respectfully submitted that the relied upon portions of the cited references, whether considered alone or in combination fail to teach or suggest virtualization switches and the configuration of such switches using a GUI as recited in claims 1, 20, 33 and 42. Accordingly, claims 1, 20, 33, and 42, and 51 patentably distinguish over the relied upon portions of the cited references and are allowable. Claims 2-17, 19, 21-32, 43-41, 43-50, and 52, which depend from one of these allowable base claims are allowable therewith. Accordingly, withdrawal of the rejections is requested.


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CONCLUSION

In view of the above amendments and remarks, it is believed that claims 1-17 and 19-52 are in condition for allowance. Passage of this case to allowance is earnestly solicited.

Any fee due with this paper, may be charged on Deposit Account 50-1290.

Respectfully submitted,



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